

ENTERED

September 09, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA

VS.

JULIO RODRIGUEZ

Defendant.

§
§
§
§
§
§

CRIMINAL ACTION NO. 2:21-CR-128-2

MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL

Pending before the Court is Defendant Rodriguez' motion to set bond. (D.E. 98). A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The motion is **DENIED without prejudice**. The following requires detention of the defendant pending trial in this case:

(1) There is probable cause to believe the defendant committed an offense for which a maximum term of imprisonment of ten years or more is prescribed in 21 U.S.C. § 841(b)(1)(a); and

(2) The defendant has not rebutted the presumption that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

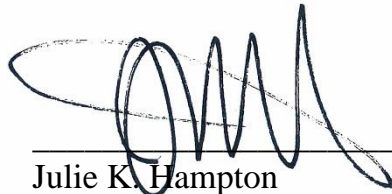
The evidence against the defendant meets the probable cause standard. The defendant is currently on supervised release, has a significant criminal history, and is charged with trafficking a significant amount of methamphetamine. The finding and

conclusions of the Amended U.S. Pretrial Report are adopted at this time by the Court.

The defendant is committed to the custody of the United States Marshal or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

The Defendant may file a motion to re-open the detention hearing in this case if he is able to demonstrate to the U.S. Marshal Service that he is a viable candidate for a kidney transplant as outlined during today's hearing.

ORDERED on September 9, 2021.



Julie K. Hampton
United States Magistrate Judge